

**REMARKS**

The Examiner has required that the present application be restricted, under 35 U.S.C. § 121, to one of the following groups for prosecution:

Group I: Claims 1-8, 14, and 17 (in part), drawn to compounds of formula (1);

Group II: Claims 9-12, 15, and 17 (in part), drawn to compounds of formula (3);

Group III: Claims 13, 16, and 17 (in part), drawn to compounds of formula (5);

Group IV: Claims 18-20 (in part), drawn to methods of using compounds of formula (1);

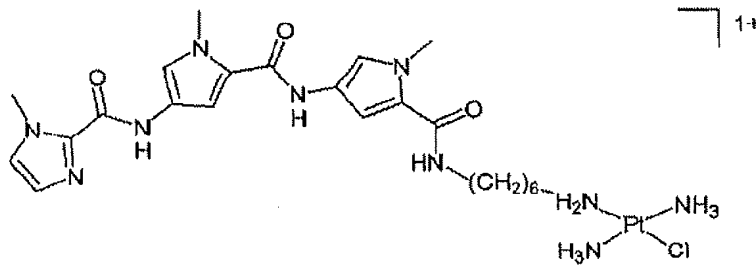
Group V: Claims 18-20 (in part), drawn to methods of using compounds of formula (3); and

Group VI: Claims 18-20 (in part), drawn to methods of using compounds of formula (5).

Applicants hereby elect, with traverse, the invention of Group I, claims 1-8, 14, and 17 (in part), which the Examiner indicates is drawn to compounds of formula (1).

Upon allowance of the claims directed to the compounds of formula (1), Applicants request rejoinder of claims directed to the methods of using such compounds.

The Examiner has further required Applicants to elect one single species from the compounds of claims 14-16 and any other compound falling under formulae (1), (3), or (5). Accordingly, Applicants elect, with traverse, the compound "trans-Im/Py/Py-[CONH(CH<sub>2</sub>)<sub>6</sub>-NH<sub>2</sub>)Pt(NH<sub>3</sub>)<sub>2</sub>Cl" which is the first compound in claim 14.



Claim 14 reads on this species. This election of species has been made without prejudice or disclaimer to any of the non-elected subject matter.

Applicants respectfully request that the restriction requirement be withdrawn for the following reasons. No art has been adduced that discloses the inventive features shared by the Groups. Furthermore, it has not been shown that examination of the claims would be a serious burden. On the other hand, maintenance of the requirement would result in additional burdens on the USPTO due to duplicated and wasted effort in repeated examination of subject matter of the present application.

In view of the foregoing, reconsideration and withdrawal of the restriction and election requirements and examination of all of the claims on the merits are respectfully requested.

### **CONCLUSION**

In the event that there are any questions related to this response, or the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney at the below-listed telephone number concerning such questions so that prosecution of this application may be expedited.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

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Date: May 6, 2009

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